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DETAILED ACTION

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/10/2010 has been entered.
- Claims 1-16, 19, 20, 31-35 are presented for further examination.

Response to Arguments

Applicant's arguments with respect to claims 1-16, 19, 20 and 25-35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14, 31-32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godfrey et al hereinafter Godfrey (US 2008/0089302) in view of Hile (US 2002/0023140) in further view of Fish et al hereinafter Fish (US 20070239609).

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1. Referring to Claim 1, Godfrey discloses a computer implemented method comprising: storing user preferences (user redirection software program, which contains preferences from the user, 0041) for accessing user files (data that could be synchronized, refer to par 0038) stored on the user computing device (user's PC, refer to par 0023);

based on the user preferences, retrieving, by the user computing device, a task request from a server (through the gateway, refer to par 0052 and 0062), the task request generated by a remote user computer (refer to par 0052), the task request identifying one of the user files stored on the user computing device (refer to par 0052 and 0053);

responsive to the task request, causing the one of the user files to be uploaded to the server from the user computing device (communicated via gateway and sent it back to the mobile device, refer to par 0060);

Although Godfrey disclosed the invention substantially as claimed, Godfrey did not explicitly disclosing "periodically polls by the user computing device, a server for the request and waiting, at the user computing device, for a schedule timer to expire and repeating at least the above act of polling a server for a task request."

Hile, in analogous art, disclosing "periodically polls by the user computing device, a server for the request (refer to par 0027) and waiting, at the user computing device, for a schedule timer to expire and repeating at least the above act of polling a server for a task request (periodically, contains timers, refer to par 0027)"

waiting, at the user computing device, for a schedule timer to expire (repeating the polling, refer to par 0027);

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Godfrey and Hile because Hile's teaching of "periodically polls by the user computing device, a server for the request and waiting, at the user computing device, for a schedule timer to expire and repeating at least the above act of polling a server for a task request" would improve Godfrey's by provide reliability to the processing of the request by a remote user (support by Fisher, par 0073-0077)

2. Referring to Claim 2, Godfrey, Hile, and Fish disclosed computer implemented method of claims 1 and a computer readable storage medium of claim 8. Godfrey further disclosing:

setting up local agent preferences (Godfrey, refer to par 0041);

setting up remote client preferences (Godfrey, refer to par 0041);

initiating the act of retrieving, based on the local agent preferences (refer to par 0041);

and initiating an act of uploading based on the remote client preferences (refer to par 0041); initiating periodically retrieving (Hile, refer to par 0027)

3. Referring to Claim 3, Godfrey, Hile, and Fish disclosed computer implemented method of claims 1 and a computer readable storage medium of claim 8.

Godfrey and Hile further disclose act of polling occurs over a transmission control protocol/internet protocol stack, through functions specified in a simple object access protocol interpreter (Godfrey, refer to par 0025 and Hile, refer to par 0015)."

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4. Referring to Claims 4 and 5. Godfrey, Hile, and Fish disclosed computer implemented method of claims 1 and a computer readable storage medium of claim 8.

Godfrey discloses that initiating a request to the local computer file system for the file (refer to par 0014); instructing the local computer file system to upload the file to the server; receiving the file from the local computer file system; receiving an indication that the file was uploaded to the server (communicated via gateway and sent it back to the mobile device, refer to par 0060)

5. Referring to Claim 6, Godfrey, Hile, and Fish disclosed computer implemented method of claims 1 and a computer readable storage medium of claim 8.

Godfrey further disclosing discloses initiating a request to a message access protocol interface for the one of the user files from a message access protocol interface database (refer to par 0052); and receiving the one of the user files from the database (Fig 3).

6. Referring to Claim 7, Godfrey, Hile, and Fish disclosed computer implemented method of claims 1.

Godfrey discloses wherein the causing the file to be uploaded includes instructing the file to be sent to the server from the message access protocol database (communicated via gateway and sent it back to the mobile device, refer to par 0060).

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7. Referring to Claim 31. Godfrey, Hile, and Fish disclosed computer implemented method of claims 1. Hile further disclosing wherein the timer resides in and is controlled by the local agent module (refer to par 0027);

8. Referring to Claims 8-15, 19, 20, 35-30, 32-35 are rejected with similar rational as Claims 1-6, 7, and 31.

Conclusion

Examiner's Notes: Examiner has cited particular Cols and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-THR 8 - 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Karen C Tang/

Primary Examiner, Art Unit 2451